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ATTY. REG. & DISC. COMM.
SPRINGFIELD

July 18, 2014

C. Richard Wray
Attorney Registration and
Disciplinary Commission of the
Supreme Court of Illinois
3161 West White Oaks Drive, Suite 301
Springfield, IL 62704

RE: Mark S. Johnson and John R. Schneider

Dear C. Richard Wray:

I am the mayor of the Village of East Cape Girardeau, Illinois. It has been brought to my attention that the Village's police officer, William Gibson, has filed a complaint against the Village's legal counsel.

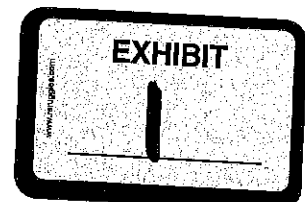
This police officer is acting outside the scope of his assigned job duties by making a complaint on the Village's behalf. He was not authorized to do so and took it upon himself to file a complaint.

Mark Johnson and his firm have represented the Village since 1982.

I believe our attorneys have always given us sound advice and properly advised the Village regarding the law.

The Village Trustees have voted to go into closed session to discuss matters that are allowed to be discussed in closed session. Many times the Village Trustees or myself asks the attorneys whether the subject is proper for closed session. The attorneys always advise whether the topic or issue is one allowed under the Open Meetings Act.

Gibson's complaint is essentially saying his employer, the Village of East Cape Girardeau, Illinois, has violated the law. I believe the Village, its Trustees and myself have not violated the law and have done things correctly.



As for the liquor ordinance, there has been no conflict requiring outside counsel. Our attorneys informed the Village that if they wanted certain issues researched, then the Village should hire outside, independent counsel in case of a conflict. At this time, the Village is trying to work with the local businesses and has not felt the need to hire other legal counsel.

At no time have I ever believed the Village is being misled and told to do things that would benefit any other person or entity other than the Village. I believe our attorneys have our best interest at heart.

On behalf of the Village, I do not believe there is a conflict of interest. I also do not believe there has been any violation of the law by the Village and especially at the directive of legal counsel.

Our attorneys have never instructed a Village Trustee to change a vote. The 4th liquor license was voted on prior to me being mayor and was before William Gibson was ever hired by the Village.

Finally, during the liquor commission's meetings and several of the Village meetings whereby the liquor ordinance has been discussed, William Gibson has not been present or participated in such meetings.

Please do not hesitate to contact me if you have any other questions or need additional information.

With regards,

Signature

Redacted

Joe Aden, Mayor of East Cape Girardeau



ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION
of the
SUPREME COURT OF ILLINOIS

REQUEST FOR INVESTIGATION

Use this form to request an investigation of:

- 1) an Illinois lawyer;
- 2) a non-Illinois lawyer who has provided legal services in Illinois; or
- 3) a non-lawyer who you are claiming has engaged in the unauthorized practice of law in Illinois.

Return the completed form by mail or facsimile to:

ARDC
130 E. Randolph Dr., Ste. 1500
Chicago, IL 60601-6219
Phone: (312) 565-2600 or (800) 826-8625
Fax: (312) 565-2320

or

ARDC
3161 W. White Oaks Dr., Ste. 301
Springfield, IL 62704
Phone: (217) 546-3523 or (800) 252-8048
Fax: (217) 546-3785

1. Your name: **William Gibson**

Street address: **216 George St**

City: **Anna**

State: **IL**

Zip: **62906**

Home phone: **618-318-7851**

Work phone: **618-661-1225**

Cell phone: **618-318-7851**

E-mail address: **forcefromil@yahoo.com**

2. Name of lawyer/person you want to be investigated: **Matthew B. Ferrell**

Name of law firm or business: **Johnson, Schneider & Ferrell L.L.C.**

Street address: **314 Willards Ferry Rd**

City: **Jonesboro**

State: **IL**

Zip: **62952**

Phone: **618-833-5141**

E-mail address:

3. Have you previously contacted the ARDC regarding this matter? Yes ☐ No ☒

If yes, when and how did you contact us?

4. Did you employ the lawyer/person you are complaining about: Yes ☐ No ☒

4a. If you answered yes to question 4:

When did the employment start?

What was the fee agreement?

How much have you paid the lawyer/person to date?



4b. If you answered no to question 4 what is your connection to the lawyer/person?

I work for the Village of East Cape Girardeau, Illinois as the Chief of Police. Attorney Matthew Ferrell is one of the lawyers who works for the Village. (Johnson, Schneider and Ferrell)

5. If your request relates to a court case or other proceeding, please provide the following:

Name of court or agency:

Name of case:

Case number:

6. Please explain your complaint(s). Include important dates and names of witnesses and others involved. Use additional pages if necessary. Attach copies of documents that support your complaint, such as fee agreements, receipts, checks, letters and court papers.

Attorney Matthew B. Ferrell is representing people who I have arrested as the police chief of the Village of East Cape Girardeau, Illinois.

I believe it is a conflict of interest for the attorney to work for the Village of East Cape Girardeau, Illinois and also representing suspects that I have arrested as the Village of East Cape Girardeau Chief of Police.

Corey S. Rosenberg-2014CF40-Possession of fake ids

Matthew E. Thebeau-2014TR5840-Speeding and 2014TR5817-Driving while License Suspended

Signature
Redacted

Signature: 

Date: 6/19/2015



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Zip: **62952**

Phone: **618-833-5141**

E-mail address:

3. Have you previously contacted the ARDC regarding this matter? Yes ☒ No ☐

If yes, when and how did you contact us? **July, 2014**

4. Did you employ the lawyer/person you are complaining about: Yes ☐ No ☒

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4b. If you answered no to question 4 what is your connection to the lawyer/person?

I work for the village of east cape girardeau as the police chief and Attorney Johnson and Schneider work for the village as their attorneys.

5. If your request relates to a court case or other proceeding, please provide the following:

Name of court or agency:

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Attorney Allen James who was hired after the July 2014 ARDC complaint is the attorney for the village when it comes to liquor license or anything else that may be a conflict of interest. Attorney Allen James has informed the village that Dorris Quick a village board member who also works for the liquor establishments could not vote on issues concerning liquor license.

Attorney Mark S. Johnson and John R. Schneider are telling the Village Board that they believe Attorney Allen James is incorrect about Dorris Quick and that she can vote.

On the complaint in July 2014 the ARDC said it was a moot issue because the village was hiring another lawyer for the liquor license. That moot issue doesn't seem to moot when Attorney Johnson and Schneider are telling the village that Attorney Allen James is incorrect.

Signature

Redacted

Signature: 2

Date: 6/19/2015



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Fax (217) 546-3785

William Gibson
216 George St.
Anna, IL 62906

Springfield
October 6, 2015

Re: Matthew Brian Ferrell
in relation to
William Gibson
No. 2015IN02680

Dear Mr. Gibson:

I have recently interviewed Mr. Ferrell in relation to the concern that you have brought to our attention, namely, that Mr. Ferrell's representation of criminal and traffic defendants in cases brought by the police of the Village of East Cape Girardeau conflicts with his or his firm's representation of the village as general municipal counsel.

Mr. Ferrell has explained that, at this time, he no longer has any such defendants as clients. In the past, he did not recognize that his representation of such defendants created a conflict. He has agreed not to accept as clients, in the future, criminal or traffic defendants in cases brought by the village police.

Because Mr. Ferrell (and his firm) no longer represents conflicting interests and Mr. Ferrell has agreed to curtail his practice so as to avoid creating such conflicts in the future, further disciplinary action by this Commission is not warranted. Accordingly, we will take no further action in this matter, and our file will be closed.

Thank you for bringing this matter to our attention.

Very truly yours,
Signature
Redacted

Gary S. Rapaport
Senior Counsel

gsr:amp

